

In searching the Group II claims, the class and subclass for the Group I claims will undoubtedly be searched, to ensure that no relevant art is overlooked. For this reason there is no significant burden on the examiner, and certainly no serious burden as required by MPEP § 803. In fact, maintaining the requirement for restriction not only burdens applicants with the additional costs associated with filing and prosecuting separate patent applications, but also requires the examiner to duplicate efforts by examining multiple applications of related inventions. Such practice not only wastes public and private funds and Patent Office resources, but also leads to the possibility of inconsistent examinations of closely related inventions. Accordingly, applicants respectfully request that the examiner reconsider and withdraw the restriction requirement.

In light of the foregoing, applicants respectfully submit that a full and complete response to the office action is provided herein, and request reconsideration and withdrawal of the restriction requirement.


If the examiner identifies further issues that may be resolved by telephone, the examiner is invited to contact the undersigned at 1.865.546.4305.

In the event that this response is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for this extension, along with any other fees that may be due with respect to this response, may be charged to our deposit account number 12-2355.

Sincerely,

LUEDEKA, NEELY & GRAHAM, P.C.

By:


Andrew S. Neely, 28,979

9/9/02

P.O. Box 1871
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1.865.546.4305

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I hereby certify that this correspondence is being deposited on the date below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington DC 20231.

9/9/02
Date

AS Neely
Andrew S. Neely, 28,979

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